IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

MONDAY, THE 2ND APRIL 2007 / 12TH CHAITHRA 1929

WP(C).No. 6952 of 2007(C)

PETITIONER:

M/S. A.G.M. TRADERS,
MARKET ROAD, PALAKKAD DISTRICT, REPRESENTED BY MANAGING PARTNER, A.GULAM MUHAMMED, SWATHI NAGAR, COURT ROAD, ALATHUR.

BY ADV. SRI.M.UNNIKRISHNA MENON

RESPONDENTS:
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1. THE DEPUTY COMMISSIONER (APPEALS), AIT & ST, ERNAKULAM.

2. INSPECTING ASST.COMMISSIONER, COMMERCIAL TAXES, PALAKKAD.

3. COMMERCIAL TAX OFFICER-I, FIRST CIRCLE, PALAKKAD.

BY GOVERNMENT PLEADER SRI. MUHAMMED RAFIQ

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 6952/2007 C

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE SEIZURE MAHASSOR FROM THE INCOME TAX DEPARTMENT DT. 8/12/05.

EXT.P2. COPY OF THE LETTER OF THE PETITIONER TO THE R3 DT. 30/10/2006.

EXT.P3. COPY OF THE ASSESSMENT ORDER ASST. YEAR 03-04 DT. 30/11/2006.

EXT.P4. COPY OF THE ASSESSMENT ORDER ASST. YEAR 04-05 DT. 30/11/06.

EXT.P5. COPY OF THE LETTER OF THE PETITIONER TO THE R3 DT. 30/10/2006.

EXT.P6. COPY OF THE APPEAL FOR ASST. YEAR 2003-04 IN FORM NO. 30 DT. 1/2/2007.

EXT.P7. COPY OF THE STAY PETITION FOR ASST. YEAR 2003-04 IN FORM NO. 31 C. DT. 1/2/07.

EXT.P8. COPY OF THE APPEAL FOR ASST. YEAR 2004-05 IN FORM NO. 30 DT. 1/2/2007.

EXT.P9. COPY OF THE STAY PETITION FOR ASST. YEAR 2004-05 IN FORM NO. 31 C DT. 1/2/2007.

EXT.P10. COPY OF THE DEMAND NOTICE U/S. 7 IN FORM NO. 1 DT. 23/2/2007.

EXT.P11. COPY OF THE DEMAND NOTICE U/S. 7 IN FORM NO. 1 DT. 23/2/2007.

EXT.P12. COPY OF THE INTERIM ORDER DT. 16/3/2007 PETITION.

True copy

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K.BALAKRISHNAN NAIR,J.

WP(C)NO.6952 OF 2007-C

Judgment

The only relief that survives int his Writ Petition is for a direction to the appellate authority to hear Exts.P6 and P8 appeals. The petitioner may move the appellate authority for early hearing of the appeals. In that event, the appellate authority will consider the same and pass appropriate orders thereon in accordance with law. Subject to that right of the petitioner, the Writ Petition is dismissed.

02.04.2007 **K.BALAKRISHNAN NAIR,JUDGE**

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